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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

CHRISTOPHER GARZA,

Plaintiff,

vs.

CITY OF SALEM, an Oregon municipal  
corporation; and OFFICER DAVID BAKER,  
an individual,

Defendants.

Case No. 3:22-cv-00721-HZ

PLAINTIFF'S PROPOSED FORM OF  
VERDICT

Plaintiff requests the attached proposed form of verdict.

DATED this 2nd day of October, 2023.

KAFOURY & MCDOUGAL

/s/ Jason Kafoury

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VERDICT

I. Excessive Force

1. On plaintiff's claim for Excessive Force against Officer Baker, do you find in favor of  
plaintiff or defendant?

ANSWER: Plaintiff \_\_\_\_\_

Defendant \_\_\_\_\_

If you found for plaintiff on Question 1, proceed to Questions 2 and 3. If you found for defendant on Question 1, skip to Question 4.

2. What are plaintiff's damages?

ANSWER: Noneconomic Damages: \_\_\_\_\_

Economic Damages: \_\_\_\_\_

3. What amount of punitive damages do you award, if any?

ANSWER: \_\_\_\_\_

## II. False Arrest

4. On plaintiff's claim for False Arrest, do you find in favor of plaintiff or defendants?

ANSWER: Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

If you found for plaintiff on Question 4, proceed to Question 5. If you found for defendants on Question 4, skip to Question 6.

5. What are plaintiff's False Arrest damages?

ANSWER: Noneconomic Damages: \_\_\_\_\_

Economic Damages: \_\_\_\_\_

III. Battery

6. On plaintiff's claim for Battery, do you find in favor of plaintiff or defendants?

ANSWER: Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

If you found for plaintiff on Question 6, proceed to Question 7. If you found for defendants on Question 6, you are done.

7. What are plaintiff's Battery damages?

ANSWER: Noneconomic Damages: \_\_\_\_\_

Economic Damages: \_\_\_\_\_

Dated: November \_\_\_\_, 2023.

\_\_\_\_\_  
Presiding Juror

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **PLAINTIFF'S PROPOSED FORM OF VERDICT** on the defendant(s) on the date indicated below by the following method:

- ☐ mailing with postage prepaid
- ☐ hand delivery
- ☐ facsimile transmission
- ☐ overnight delivery
- ☒ email

to said person(s) a true copy thereof, addressed to said persons at their last known address(es) and facsimile number(s) as follows:

Sebastian Tapia  
Salem City Attorney's Office  
555 Liberty St SE, Ste 225  
Salem OR 97301  
[stapia@cityofsalem.net](mailto:stapia@cityofsalem.net)  
[mhighsmith@cityofsalem.net](mailto:mhighsmith@cityofsalem.net)  
[rgostevskyh@cityofsalem.net](mailto:rgostevskyh@cityofsalem.net)

*Attorneys for Defendants*

Dated this 9th day of October, 2023.

KAFOURY & MCDOUGAL

/s/ Jason Kafoury

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Of Attorneys for Plaintiff